

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>ANTHONY DeFRANCO,</b>	)	
<b>Plaintiff</b>	)	
<b>v.</b>	)	<b>C.A. No. 04-230 Erie</b>
	)	<b>District Judge Cohill</b>
<b>WILLIAM WOLFE, et. al.,</b>	)	<b>Magistrate Judge Baxter</b>
<b>Defendants.</b>	)	

**ORDER**

On November 20, 2006, Plaintiff filed a motion for extension of time [Document # 245] requesting additional time to file a reply to Defendants' response to Plaintiff's cross motion for summary judgment. Plaintiff has since filed a reply brief [Document # 254], and has since been granted authority to file a supplement to his reply brief. [Document # 261].

AND NOW, this 4<sup>th</sup> day of January, 2007;

IT IS HEREBY ORDERED that Plaintiff's motion for extension of time [Document # 245] is dismissed as moot.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

S/Susan Paradise Baxter  
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SUSAN PARADISE BAXTER  
Chief U.S. Magistrate Judge